

UNITED STATES BANKRUPTCY COURT District of New Jersey
Albert Russo Cn 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee
In re:  William Sherwood  Debtor(s)



Order Filed on May 8, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 18-22099 / CMG

Hearing Date: 05/06/2020

Judge: Christine M. Gravelle

Chapter: 13

### ORDER CONFIRMING CHAPTER 13 PLAN

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**.

**DATED: May 8, 2020**

  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

The plan of the debtor having been proposed to creditors, and a hearing having been held on the confirmation of such plan, and it appearing that the applicable provisions of the Bankruptcy Code have been complied with; and for good cause shown, it is

**ORDERED** that the plan of the above named debtor, dated 06/15/2018, or the last amended plan of the debtor be and it is hereby confirmed. The Standing Trustee shall make payments in accordance with 11 U.S.C. § 1326 with funds received from the debtor.

**ORDERED** that the plan of the debtor is confirmed to pay the Standing Trustee for a period of 60 months.

**ORDERED** that the debtor shall pay the Standing Trustee, Albert Russo, based upon the following schedule, which payments shall include commission and expenses of the Standing Trustee in accordance with 28 U.S.C. § 586:

\$10,534.00 PAID TO DATE

\$465.00 for 37 months beginning 06/01/2020

**ORDERED** that the case is confirmed with a calculated plan funding of \$27,739.00 which includes a minimum of \$24,960.00 dividend to general unsecured creditors.

**ORDERED** that the Standing Trustee shall be authorized to submit, ex-parte, an Amended Confirming Order, if required, subsequent to the passage of the claims bar date(s) provided under Fed. R. Bank. P. 3002.

**ORDERED** that the debtor's attorney be and hereby is allowed a fee pursuant to the filed 2016(b) Statement. Any unpaid balance of the allowed fee shall be paid to said attorney through the Chapter 13 plan by the Standing Trustee.

**ORDERED** that if the debtor should fail to make plan payments or fail to comply with other plan provisions for a period of more than 30 days, the Standing Trustee may file, with the Court and serve upon the Debtor and Debtor's Counsel, a Certification of Non-Receipt of Payment and request that the debtor's case be dismissed. The debtor shall have fourteen (14) days within which to file with the Court and serve upon the Trustee a written objection to such Certification.

**ORDERED** that to the extent Section 7 of the debtor's plan contains motions to avoid judicial liens under 11 U.S.C. § 522(f) and/or to avoid liens and reclassify claims in whole or in part, such motions are hereby granted, except as specified below:

NO EXCEPTIONS

**ORDERED** that upon completion of the plan, affected secured creditors shall take all steps necessary to remove of record any lien or portion of any lien discharged.

**ORDERED** that the Standing Trustee is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. § 1305(a).

**ORDERED** that the Pre-Confirmation Certification of Compliance must be filed by 05/18/2020.

**ORDERED** that if the debtor has provided for a creditor to be paid in the plan and no Proof of Claim is filed by such creditor before expiration of the applicable bar date, the debtor, pursuant to F.R.B.P. 3004, must file a Proof of Claim on behalf of the creditor within 30 days of the expiration of the applicable bar date. If the time period pursuant to F.R.B.P. 3004 has expired, the debtor must file a Proof of Claim on behalf of the creditor and file a motion to allow the Trustee to pay the late filed claim, or the debtor may obtain a Consent Order with the creditor authorizing the Trustee to pay an amount certain in the plan.

**ORDERED** as follows:

Order to be submitted regarding Advanced Beverage within twenty days of confirmation.

Advanced Beverage, court claim #4-1, shall be considered contingent and shall be paid pro rata with other general unsecured creditors.



## Certificate of Notice Page 5 of 5

United States Bankruptcy Court  
District of New JerseyIn re:  
William Sherwood  
DebtorCase No. 18-22099-CMG  
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 1

Date Rcvd: May 08, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 10, 2020.

db +William Sherwood, 16 Rolling Rd, East Brunswick, NJ 08816-4125

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 10, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 8, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
 Curtis M Plaza on behalf of Interested Party Advanced Beverage, Inc. cplaza@riker.com, sdechoyan@riker.com;agarrastegui@riker.com  
 Curtis M Plaza on behalf of Plaintiff Advanced Beverage, Inc. cplaza@riker.com, sdechoyan@riker.com;agarrastegui@riker.com  
 Mitchell Malzberg on behalf of Defendant William Sherwood mmalzberg@mjmalzberglaw.com, dlapham@mjmalzberglaw.com  
 Mitchell Malzberg on behalf of Debtor William Sherwood mmalzberg@mjmalzberglaw.com, dlapham@mjmalzberglaw.com  
 Morris S. Bauer on behalf of Mediator Morris Bauer msbauer@nmmlaw.com, rjacome@norris-law.com, relikens@nmmlaw.com, ddewey@norris-law.com  
 R. A. Lebron on behalf of Creditor PNC BANK, NATIONAL ASSOCIATION bankruptcy@feinsuch.com  
 Rebecca Ann Solarz on behalf of Creditor PNC Bank, National Association rsolarz@kmlawgroup.com  
 Richard L Elem on behalf of Plaintiff Jaydeen Corporation relem@janmeyerlaw.com  
 Richard L Elem on behalf of Creditor Jaydeen Corporation relem@janmeyerlaw.com  
 U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 11